

MINUTE ITEM

39. PROPOSED ANNEXATION OF TIDE AND SUBMERGED LANDS IN THE PACIFIC OCEAN BY THE CITY OF OXNARD - W.O. 2400.36.

Following presentation by the Executive Officer of Calendar Item 45 attached, Mr. Joe Hodges, Jr., City Attorney of Oxnard, appeared to answer further questions and to offer general information on the proposed annexation.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE EXECUTIVE OFFICER IS AUTHORIZED TO NOTIFY THE CITY COUNCIL OF THE CITY OF OXNARD THAT, PURSUANT TO THE PROVISIONS OF SECTION 35313.1 OF THE GOVERNMENT CODE, THE STATE LANDS COMMISSION HAS DETERMINED THE PRESENT VALUE OF THE TIDE AND SUBMERGED LANDS PROPOSED TO BE ANNEXED UNDER CITY OF OXNARD ANNEXATION NO. 61-10A TO BE \$1,471,800.

Attachment

Calendar Item 45 (1 page)

CALENDAR ITEM

45.

PROPOSED ANNEXATION OF TIDE AND SUBMERGED LANDS IN THE PACIFIC OCEAN BY THE CITY OF OXNARD - W.O. 2400.36.

On October 6, 1961, the State Lands Division was informed that the City of Oxnard proposes to extend its corporate limits by annexation of territory known as "Annexation 61-10A", which is contiguous to the present city limits and includes approximately 7,359 acres of tide and submerged lands in the Santa Barbara channel of the Pacific Ocean. The area proposed to be annexed adjoins the 9.40 acres of tide and submerged lands (Oxnard Annexation No. 59-11), which the Commission at its meeting of August 27, 1959 (Minute Item 25, pages 5218-19), determined the value to be \$1,900.00. No basis was determined for recommending a protest to the 9.40-acre annexation.

Section 35313.1 of the Government Code provides: "When territory proposed to be annexed consists wholly or partly of tide or submerged land owned by the State, the legislative body shall determine the value of such tide or submerged lands for the purpose of this article. For the purpose of such determination, the State Lands Commission shall fix the value of tide or submerged lands owned by the State and shall notify in writing the legislative body of its determination."

The City of Oxnard has requested that the Commission determine and fix the value of the tide and submerged lands to be annexed and notify the City Council of the City of Oxnard of the determination of such value. A review of the location and potential utilization of the tide and submerged lands proposed to be annexed has again not disclosed any current grounds for recommending objection by the Commission to the annexation. The area to be annexed includes Oil and Gas Lease P.R.C. 735, issued in 1952, and proposed oil and gas lease W.O. 3560 (Parcel 5, now out for public bid). The tide and submerged lands in this annexation area are not restricted as to drilling under the Cunningham-Shell Tidelands Act of 1955. The annexation would include all depths to the center of the earth. Therefore, any future State Lands Commission administrative problems might not be minimized, as should be the case in the proposed City of Santa Barbara annexation limited to the surface of the land of the ocean floor, as considered by the Commission at its meeting on September 14, 1961. An appraisal of the approximately 7,359 acres of tide and submerged lands has resulted in an estimated average of \$200 per acre, for a total value of \$1,471,800.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO NOTIFY THE CITY COUNCIL OF THE CITY OF OXNARD THAT, PURSUANT TO THE PROVISIONS OF SECTION 35313.1 OF THE GOVERNMENT CODE, THE STATE LANDS COMMISSION HAS DETERMINED THE PRESENT VALUE OF THE TIDE AND SUBMERGED LANDS PROPOSED TO BE ANNEXED UNDER CITY OF OXNARD ANNEXATION NO. 61-10A TO BE \$1,471,800.